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July 13, 2011

**VIA ECF**

The Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
Brooklyn, NY 11201

**Re:    United States of America v. Thomas Gioeli, et al.  
Case No. 08-cr-240 (S-6) (BMC) (RER)**

Dear Judge Cogan:

I am counsel for Thomas Gioeli along with Carl J. Herman in the above matter. I am writing to request a rescheduling of the status conference in this case currently set for Wednesday, August 3<sup>rd</sup>, at 10:00 am. The government and counsel for co-defendant Dino Saracino do not object to this request.

At the time that we initially scheduled the status conference, I neglected to consider that Wednesdays are visitation days for Mr. Gioeli and his family. I want ensure his appearance at the next conference and therefore wish to avoid any conflict that may interfere with that happening. To that end, I have also been conferring with MDC Warden and United States Marshals Service to address other issues raised at the last conference regarding Mr. Gioeli's appearance and believe that matter has now been resolved.

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I hope that the Court can shift the conference to either Tuesday, August 2<sup>nd</sup>, or Thursday, August 4<sup>th</sup>. I want to thank the Court in advance for its consideration of this request.

Respectfully submitted,



Adam D. Perlmutter

Cc: All counsel (via ECF)  
Thomas Gioeli